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SUPREME COURT U S

No. 634

IN THE

Supreme Court of the United States

October Term, A. D. 1957

A. MASCHMEIJER JR., INC.,
Petitioner,

vs.

EASTERN MOTOR EXPRESS, INC.,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT.

MOTION OF THE NATIONAL INDUSTRIAL TRAFFIC LEAGUE, As An *Amicus Curiae.*

ROBERT N. BURCHMORE,
JOHN S. BURCHMORE,
Attorneys,

2106 Field Building,
Chicago 3, Illinois.

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Now come John S. Burchmore and Robert N. Burchmore, as counsel for The National Industrial Traffic League, pursuant to paragraph 3 of Rule 42, and move the Court for leave to file as *amicus curiae* a brief which is submitted herewith, in support of the petition for writ of certiorari.

As grounds for this motion, petitioners submit the statement contained in the accompanying brief showing the interest of the League, the importance of the questions presented, and their relevancy to the disposition of the case.

Upon application to the parties for consent as a preliminary to this motion, the petitioner for a writ of certiorari has granted and respondent has refused consent, although consent was given by all parties to similar request made by the National Barrel & Drum Association, Inc.

It is submitted that the questions of law presented by the petition for a writ have not been and may not be adequately

presented by the parties for the reasons and to the extent shown in the accompanying brief. Therefore, if the Court grants certiorari, counsel further request leave to file an appropriate brief on the basic questions of law which this Court will consider in review of the decision of the Court of Appeals herein.

ROBERT N. BURCHMORE,
JOHN S. BURCHMORE,
Amicus Curiae.

BURCHMORE, GOOD & BOBINETTE,
2106 Field Building.
Chicago 3, Illinois.

December 5, 1957.